

FEB 25 2005

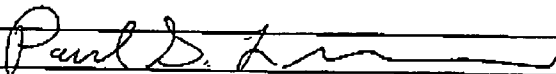
PTO/SB/21 (04-04)

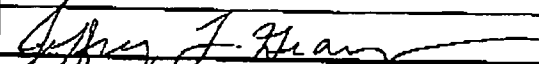
Approved for use through 07/31/2008. OMB 0851-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/814,399	
	Filing Date	03/31/2004	
	Inventor	Steven C. Quay et al.	
	Art Unit	1623	
	Examiner Name		
Total Number of Pages in This Submission	4	Attorney Docket Number	03-02CIP

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached \$65 <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> Request to Correct Priority Claim <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Substitute Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Declaration and Power of Attorney, Declaration, 2 pages <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Substitute page one of form 1449A/PTO
Remarks We recently filed an IDS of 3 pages with references on 1/14/2005. We noted a typographical error on page 1. The Mayor Pharmaceutical Laboratories US patent number has been corrected from 4,523,341 to the correct patent number of 4,525,341. Kindly switch out the prior page one of form 1449A/PTO for this new page one. Thank you.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Nastech Pharmaceutical Company Inc., Paul G. Lunn, Attorney, Registration No. 32,743
Signature	
Date	February 25, 2005

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO to the Fax number 703-872-9306 on the date shown below.			
Typed or printed name	Jeffrey L. Granger		
Signature		Date	February 25, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEB 25 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Quay et al.	Attorney Docket No.: 03-02CIP
Serial No.: 10/814,399	Group Art Unit: 1623
Filed: 3/31/2004	Examiner: unknown
Title: CYANOCOBALAMIN LOW VISCOSITY AQUEOUS FORMULATIONS FOR INTRANASAL DELIVERY	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBSTITUTE INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Information Disclosure Statement is submitted:

- ☒ under 37 CFR 1.97(b), or
(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
- ☐ under 37 CFR 1.97(c) together with either a:
☐ Statement under 37 CFR 1.97(e), or
☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with a:
☐ Statement under 37 CFR 1.97(e), and
☐ a \$180.00 fee set forth in 37 CFR 1.17(p).
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☒ Applicant(s) submit herewith a substitute Form PTO 1449-Information Disclosure Citation page one only.

Applicants also wish to bring to the attention of the Examiner that the assignee previously prosecuted patent application no. 06/723,859, entitled "Aerosol Compositions for Nasal Delivery of Vitamin B12," filed April 16, 1985, which was abandoned by the assignee.

The relevance of the attached references is that this is the closest art of which Applicant is aware. Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

It is requested that the information disclosed herein be made of record in this application.

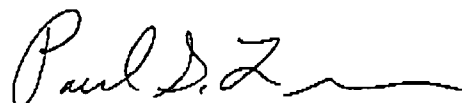
Respectfully submitted,

I hereby certify that this Correspondence is being facsimile transmitted to the USPTO, fax number 703-872-9306, on the date indicated below.

Date of Deposit: February 25, 2005

Typed Name: Jeffrey L. Granger

Signature: 



Paul G. Lunn
Attorney/Agent for Applicant(s)
Reg. No. 32743

Date: February 25, 2005

Telephone No.: (425) 908-3643

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Substitute for form 1449A/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Application Number	10/814,399
		Filing Date	03/31/2004
		First Named Inventor	Steven C. Quay <i>et al.</i>
		Art Unit	1823
		Examiner Name	
		Attorney Docket Number	03-02CIP
Sheet	1	of	3

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.†	Document Number Number - Kind Code ² (if known)	Issued Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 2,703,302	03-01-1955	Merck & Co., Inc.	
		US- 2,703,303	03-01-1955	Merck & Co., Inc.	
		US- 2,746,798	05-22-1958	The Pharma-Craft Corporation	
		US- 2,914,222	11-24-1959	Philip Meshberg	
		US- 3,000,793	08-19-1961	Merck & Co., Inc.	
		US- 2,951,017	08-30-1960	The Distillers Company Limited	
		US- 3,057,861	10-08-1962	Armour Pharmaceutical	
		US- 3,018,225	01-23-1962	Merck & Co., Inc.	
		US- 3,120,509	02-04-1964	Hoffmann-La Roche Inc.	
		US- 3,282,781	11-01-1966	Merck & Co., Inc.	
		US- 3,548,057	12-15-1970	Merck & Co., Inc.	
		US- 3,577,537	05-04-1971	Merck & Co., Inc.	
		US- 3,584,115	06-08-1971	Arthur I. Gebhart & Angelo T. Bonduris	
		US- 3,957,986	05-18-1976	GAF Corporation	
		US- 4,174,295	11-13-1979	Montedison S.p.A.	
		US- 4,625,341	06-25-1985	Mayo Pharmaceutical Laboratories	
		US- 4,724,231	02-08-1988	Nastech Pharmaceutical, Inc.	
		US- 5,801,181	09-01-1998	Merkus, Franciscus	
		US- 5,797,390	08-25-1998	McSoley, Thomas E.	
		US- 5,925,625	07-20-1999	Merkus, Franciscus	
		US- 6,885,421	12-16-2003	Image Therm Engineering, Inc.	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No.†	Foreign Patent Document Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)	Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		EP 0131315 A2	02-16-1984	Istituto De Angali	
		EP 0130650 A2	08-27-1984	Intermedical GmbH	
		PCT WO 86/05988 (International Application Number PCT/US86/00793)	10-23-1986 Publication Date	Nastech Pharmaceutical Company, Inc.	
		PCT WO 86-05987 (International Application Number PCT/US86/00885)	10-23-1986 Publication Date	Nastech Pharmaceutical Company, Inc.	

Examiner Signature	/Paul Ward/ (04/24/2005)	Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 608. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. †Applicant's unique citation designation number (optional). ‡See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. §Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ¶For the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. †Applicant is to place a check mark here if English language translation is attached.

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If you need assistance in completing the form, call 1-800-PTO-9189 and select option 2.